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6 IN THE UNITED STATES DISTRICT COURT  
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 UNITED STATES OF AMERICA,

No. CR 16-00440 WHA

11 Plaintiff,

12 v.

13 YEVGENIY ALEKSANDROVICH  
14 NIKULIN,

15 Defendant.  
16 \_\_\_\_\_/

**ORDER GRANTING MOTION  
FOR MENTAL COMPETENCY  
HEARING AND  
PSYCHIATRIC EVALUATION**

17 Defendant Nikulin’s motion for a hearing to determine his competency to stand trial  
18 pursuant to Section 4241 of Title 18 of the United States Code is **GRANTED**. Based on the  
19 record herein — including defense counsel’s declaration and the United States Marshals  
20 Service’s representations regarding Nikulin’s in-custody behavior — the Court finds that there  
21 is reasonable cause to believe that defendant Nikulin “may presently be suffering from a mental  
22 disease or defect rendering him mentally incompetent to the extent that he is unable to  
23 understand the nature and consequences of the proceedings against him or to assist properly in  
24 his defense.” 18 U.S.C. § 4241(a).


25 Dr. Alexander Grinberg is hereby appointed to conduct an examination of defendant  
26 Nikulin and determine Nikulin’s mental competency pursuant to 18 U.S.C. § 4241(b). The  
27 psychiatric report shall be filed with the Court and copies shall be provided to defense counsel  
28 and counsel for the government. 18 U.S.C. § 4247(c). The psychiatric report shall include the  
following information as required by 18 U.S.C. § 4247(c):

- (1) the defendant's history and present symptoms;
- (2) a description of the psychiatric, psychological, and medical tests that were employed, and their results;
- (3) the examiner's findings; and
- (4) the examiner's opinions as to diagnosis, prognosis, and whether the defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

A hearing to determine the mental competency of defendant Nikulin will be held on **OCTOBER 9, 2018, AT 2:00 P.M.** The examiner's report shall be provided to the Court by **OCTOBER 5 AT NOON.**

**IT IS SO ORDERED.**

Dated: September 4, 2018.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE